IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1886 OF 2006

The Bank of Rajashthan Ltd. ... Applicant.

V/s.

State of Maharashtra & Anr. ... Respondents.

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Mr. Yashpal Thakur for the Applicant.
Mrs. R.V. Pradhan i/b. Arti Chimalkar for Respondent No.1.
Mrs. M.M. Deshmukh, A.P.P. for the State.

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CORAM : J.H. BHATIA, J.

DATE : 31ST JANUARY, 2007.

P.C. :

1. This is an Application seeking leave to prefer Appeal against the order of acquittal and dismissal of the complaint in default under Section 256 of Cr.P.C. The complaint was under Section 138 of Negotiable Instruments Act. On last date, Mr. Mohite, learned Counsel for the Applicant had sought time for amicable settlement. To-day, when the matter is called, Mr. Yashpal Thakur, learned Counsel for the Applicant and Mrs. R.V. Pradhan, learned Counsel for the Respondent one present. Mrs. Pradhan makes a statement that the matter is already amicably settled and as per the agreement, about 7 instalments have already paid and two more instalments are due to be paid. She also makes a statement that Respondent No.1 will make the payment as per a schedule agreed between the parties.

2. In view of this statement, Mr. Thakur, learned Counsel for the Applicant seeks to withdraw this application with liberty to file fresh application, in case, Respondent No.1 fails to comply with the statement made before the Court. Application shall stand disposed of as withdrawn with the aforesaid liberty.

(J.H. BHATIA, J.)